

Exhibit 7

Page 1

1

2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

Case No. 09-CIV-9832 (BSJ) (RLE)

Case No. 09-CIV-9323 (BSJ) (RLE)

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6 AUSTIN FENNER and IKIMULISA LIVINGSTON,

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8 Plaintiffs,

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10 NEWS CORPORATION, NYP HOLDINGS, INC.,
11 d/b/a THE NEW YORK POST and DAN GREENFIELD
12 and MICHELLE GOTTHELF,

13 Defendants.

14 -----x
15 SANDRA GUZMAN,

16 Plaintiff,

17 18 NEWS CORPORATION, NYP HOLDINGS, INC.,
d/b/a THE NEW YORK POST and COL ALLAN, in
his official and individual capacities,

19 Defendants.

20 -----x
21 CONFIDENTIAL

22 VIDEOTAPED DEPOSITION OF AMY SCIALDONE

23 New York, New York

24 Thursday, June 28, 2012

25 Reported by:

Amy A. Rivera, CSR, RPR, CLR

JOB NO. 51053

<p style="text-align: right;">Page 18</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 respect to retaliation in the workplace? 3 MR. PIESCO: Objection. 4 You can answer. 5 A. No, I didn't personally. 6 Q. When you were director of training, do 7 you know if anyone conducted training of New York 8 Post employees with respect to The Post policy 9 towards harassment in the workplace? 10 MR. PIESCO: Objection. 11 You can answer. 12 A. Yes. 13 Q. Who was that person or persons? 14 A. My legal counsel, Jordan Lippner. 15 Q. Was there anyone else? 16 A. No. 17 Q. Just to clarify, was there anyone also 18 you know of or do you know if there was anyone 19 else other than Jordan Lippner who conducted 20 training on harassment in the workplace? 21 MR. PIESCO: Objection. 22 You can answer. 23 A. While I was the director? 24 Q. Right, when you were the director. 25 A. When I was the director, Jordan</p>	<p style="text-align: right;">Page 19</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 conducted the training for harassment. 3 Q. Who promoted you to vice president of 4 human resources? 5 A. Jennifer Jehn. 6 Q. And who do you report to now? 7 A. Paul Carlucci. 8 Q. Do you know if there were any 9 discussions when Jennifer Jehn left as to whether 10 or not there would be another senior vice 11 president appointed to take over her role in HR? 12 MR. PIESCO: Objection. 13 A. No. 14 Q. Was there ever any discussion as far 15 as you know of promoting you to senior vice 16 president of HR? 17 MR. PIESCO: Objection. 18 A. No. 19 Q. And do you currently report to Paul 20 Carlucci? 21 A. Yes. 22 Q. Who is Paul Carlucci? 23 A. The publisher of the New York Post. 24 Q. And who does Paul Carlucci report to? 25 A. I don't know.</p>
<p style="text-align: right;">Page 20</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 Q. Do you know who Paul Carlucci works 3 for? 4 MR. PIESCO: Objection. 5 A. No. 6 Q. Do you know if he is an employee of 7 some division or subsidiary of News Corporation? 8 MR. PIESCO: Objection. 9 A. I don't know exactly. 10 Q. I didn't ask you exactly, I'm merely 11 asking you do you know if he works for some 12 company affiliated with News Corporation? 13 MR. PIESCO: Objection. 14 A. I know he works for the New York Post 15 and News America Marketing. 16 Q. So, Paul Carlucci works for News 17 America Marketing? 18 MR. PIESCO: Objection. 19 A. Yes. 20 Q. And is News America Marketing 21 affiliated with News Corporation in any way? 22 MR. PIESCO: Objection. 23 A. It's my understanding they're a 24 subsidiary. 25 Q. Do you have any idea why Paul</p>	<p style="text-align: right;">Page 21</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 Carlucci, the publisher of The Post, is employed 3 by News America Marketing? 4 MR. PIESCO: Objection. 5 A. I don't know who Paul's employed by. 6 Q. I thought you just said that Paul 7 Carlucci works for News America Marketing? 8 MR. PIESCO: Objection. 9 A. Paul's the publisher of the New York 10 Post and oversees News America Marketing. 11 Q. And he -- 12 A. That's my understanding -- 13 Q. -- he oversees -- 14 A. -- if I misspoke. 15 Q. He oversees News America Marketing. 16 MR. CLARK: Now, could you read back 17 the -- the answer about -- about two 18 questions ago on News America Marketing? 19 (Record read.) 20 BY MR. CLARK: 21 Q. Okay. So, you testified a minute ago 22 that Paul Carlucci works for News America 23 Marketing. Is that correct? 24 A. That's my understanding. 25 Q. Okay.</p>

<p style="text-align: right;">Page 46</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 MR. PIESCO: Objection. 3 A. I don't recall. 4 Q. Is it more than once a year? 5 MR. PIESCO: Objection. 6 A. I don't recall. 7 Q. Now, as part of your job as vice 8 president of HR, are you required to conduct 9 investigations when there's an allegation of 10 sexual harassment in the workplace? 11 MR. PIESCO: Objection. 12 You can answer. 13 A. Yes. 14 Q. Does anyone else in HR currently have 15 responsibility to conduct investigations when 16 there's an allegation of sexual harassment in the 17 workplace? 18 MR. PIESCO: Objection. 19 You can answer. 20 A. Yes. 21 Q. Are there any specific individuals 22 that are in HR which -- who are tasked with 23 conducting investigations of sexual harassment in 24 the workplace? 25 MR. PIESCO: Objection.</p>	<p style="text-align: right;">Page 47</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 You can answer. 3 A. Yes. 4 Q. And who are those people? 5 A. Erin, Lainie, and Ashley. 6 Q. And are you in overall control of 7 those investigations? 8 MR. PIESCO: Objection. 9 A. They may handle them. I review them. 10 Q. So, they report to you when they do an 11 investigation? 12 A. Yes. 13 Q. And is it part of your responsibility 14 to make sure that those three individuals do the 15 investigation properly? 16 A. Yes. 17 Q. So, it would be fair to say that as 18 part of your job you are familiar with how to 19 conduct an investigation about an allegation of 20 sexual harassment in the workplace? 21 MR. PIESCO: Objection. 22 You can answer. 23 A. Yes. 24 Q. So, tell me in just -- in general how 25 you would go about conducting an investigation</p>
<p style="text-align: right;">Page 48</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 when there's an allegation of sexual harassment at 3 the New York Post? 4 MR. PIESCO: Objection. 5 You can answer. 6 A. We would meet with an employee who has 7 the complaint and get as much detailed information 8 as we can and try to determine what occurred, who 9 may be involved, who may have witnessed anything, 10 and then we would take it to the next step and go 11 and see if we can talk to people who may have 12 seen, heard, or know anything, or been involved. 13 We would be doing this in conjunction 14 with legal counsel trying to make a determination 15 what occurred. 16 Q. When these interviews are conducted, 17 would you expect the person conducting the 18 interview to take notes during the interview? 19 A. Yes. 20 Q. Would that be standard procedure? 21 MR. PIESCO: Objection. 22 You can answer. 23 A. Yes. 24 Q. Have you ever specifically told the 25 employees that work for you to make sure they take</p>	<p style="text-align: right;">Page 49</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 notes when they interview people with respect to a 3 complaint of discrimination in the workplace? 4 MR. PIESCO: Objection. 5 A. Any investigation we're doing, we'll 6 take notes to make sure we're accurate and have 7 the information that we may need to continue the 8 investigation. 9 Q. And other than what you've described 10 already in terms of attending these -- these 11 modules with Mr. Lippner, have you received any 12 other outside training on how to conduct an 13 investigation about discrimination in the 14 workplace? 15 MR. PIESCO: Objection. 16 A. No. 17 Q. So, you never -- 18 A. No. 19 Q. -- never attended outside seminars -- 20 A. No. 21 Q. -- with respect -- whether taking -- 22 MR. PIESCO: Let him finish -- let him 23 finish his question, please -- 24 THE WITNESS: Right. 25 MR. PIESCO: -- before you answer.</p>

Page 194	Page 195
1 AMY SCIALDONE - CONFIDENTIAL 2 relationships with inappropriately.	1 AMY SCIALDONE - CONFIDENTIAL 2 Q. Is it your position that Mr. de Oca 3 was not styling Ms. Guzman for events?
4 Manolo Blahnik that Ms. Guzman was going to use 5 these items for professional use when, in fact, 6 she was going to use them for personal use?	4 MR. PIESCO: Objection.
7 MR. PIESCO: Objection.	5 A. I'm not sure I understand what you're 6 asking.
8 You can answer.	7 Q. I'm trying to understand what you're 8 saying.
9 A. My understanding is that was the case.	9 You said that he was styling her for 10 events, and that was some sort of 11 misrepresentation.
10 Q. What is that understanding based on?	12 A. The -- oh, excuse me -- the 13 misrepresentation I'm talking about is that he was 14 styling her, or whatever he was doing for her, for 15 her personal use, which is not company use, but 16 using her -- whether that was with her direction 17 or not -- using her title, name, the company, to 18 gather goods and services. And that is a conflict 19 of interest. And she said he was working for her.
11 A. E-mails Sandra had with Joe, 12 conversations Manolo Blahnik or e-mails they had 13 with our editors, and how it was presented, and 14 they were concerned -- Manolo Blahnik was 15 concerned about their relationship with The Post, 16 the way he behaved.	20 Q. All right. 21 A. That's my understanding of all of it. 22 Q. And -- and it says in this memo, it 23 accuses Ms. Guzman of a conflict of interest, 24 correct?
17 Q. Now, what leads you to believe that 18 Ms. Guzman in any way cooperated with Mr. de Oca 19 making this alleged misrepresentation?	25 A. I didn't hear you. Can you repeat
20 A. I believe she stated that in an e-mail 21 detailing he was representing her and styling her 22 for events.	Page 196
23 Q. Okay. And is it your position that he 24 was not styling her for events?	Page 196
25 A. Excuse me?	1 AMY SCIALDONE - CONFIDENTIAL 2 BY MR. CLARK:
3 Q. In the first sentence of this written 4 warning, it says that Ms. Guzman violated The 5 Post's conflict of interest rules, correct?	3 Q. Does this conversation refresh your 4 recollection that company policies was not 5 attached to the written warning?
6 MR. PIESCO: Objection. Speaks for 7 itself.	6 MR. PIESCO: Objection.
8 You can answer.	7 A. This code of conduct was not -- was 8 the standards of business conduct we're referring 9 to here. So, I don't believe this to have been 10 attached to it, is what I said.
9 A. That's what it says.	11 Q. Okay. Very good. I just wanted to 12 clarify.
10 Q. Would you agree that nowhere in here 11 does it accuse her of violating The Post's -- 12 let's see, which number is it -- of -- of 13 dishonesty, Rule No. 5?	13 A. Yeah, yeah.
14 MR. PIESCO: Objection.	14 Q. Sometimes when talk things through, 15 you remember things.
15 A. It doesn't refer to this document.	16 Now, if you look at the second 17 paragraph, it -- it refers to COMPASS. And I 18 think we talked about this before, but tell me 19 again, what -- what is COMPASS?
16 Q. So, this is -- just to be clear then, 17 because -- are you saying then definitely company 18 policies was not attached to the written warning?	20 A. COMPASS is an online ethics training 21 module that all employees are required to take, 22 which reviews the company's standards of business 23 conduct, amongst other things.
19 MR. PIESCO: Objection.	24 Q. And when it says, "the company's 25 standards of business conduct," what company is it
20 She said she didn't recall --	
21 MR. CLARK: I understand, but --	
22 A. I guess --	
23 MR. PIESCO: You can't do that. You 24 can't to that. Paul, come on, you can't do 25 that.	

<p style="text-align: center;">Page 246</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 You can answer. 3 A. Something somewhat similar. We have 4 an acknowledgment page for new hires. 5 Q. Okay. And you see this is -- maybe 6 you can't read it, but I believe this is the 7 acknowledgment for Sandra Guzman? Yeah, you see 8 it says, "I, Sandra Guzman, have received"? 9 A. Yes. 10 Q. Could you just that sentence for me, 11 that first sentence? 12 A. Sure. 13 "This is to acknowledge that I, Sandra 14 Guzman, have received and read the following 15 materials regarding News Corporation's policies 16 and procedures on the following topics." 17 Q. Would you agree then that this form 18 clearly states that she has received News 19 Corporation's policies and procedures on the 20 following topics? 21 MR. PIESCO: Objection. Speaks for 22 itself. 23 You can answer. 24 A. Well, as noted at the top, it's on New 25 York Post's letterhead, and as I stated, it's my</p>	<p style="text-align: center;">Page 247</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 understanding that these News Corp. policies we've 3 adopted as the New York Post policies. 4 Q. This refers to News Corporation's 5 policies and procedures on standards of business 6 conduct, correct? 7 MR. PIESCO: Objection. 8 You can answer. 9 A. That's what it states. 10 Q. And this refers to News Corporation's 11 policies and procedures on equal employment 12 opportunity and unlawful harassment, correct? 13 MR. PIESCO: Objection. 14 A. Correct. 15 Q. And it refers to News Corporation's 16 policies and procedures on electronic 17 communications policy, correct? 18 MR. PIESCO: Objection. 19 A. Correct. 20 Q. Is that the policy we looked at 21 earlier? 22 MR. PIESCO: Objection. 23 Q. The electronic communications policy? 24 A. From her date, I don't know. I would 25 assume so.</p>
<p style="text-align: center;">Page 248</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 Q. Okay. Fair enough. 3 And then family medical leave policy, 4 are those also News Corporation policies and 5 procedures with respect to family medical leave? 6 MR. PIESCO: Objection. 7 A. They're all New York Post policies to 8 me. 9 Q. Do you have any idea why it refers to 10 all these as News Corporation policies? 11 MR. PIESCO: Objection. 12 A. No. As I mentioned, I wasn't in HR in 13 2003. I don't know. 14 Q. Were you in HR in 2007? 15 A. Yes. 16 MR. CLARK: Could you mark this 17 exhibit? 18 Thanks. 19 (Exhibit Scialdone 8, an 20 acknowledgment dated May 21, 2007 bearing 21 Bates number NYP-FL 485, was marked for 22 identification at this time.) 23 MR. CLARK: For the record, this is 24 Bates stamped NYP-FL 485.</p>	<p style="text-align: center;">Page 249</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 BY MR. CLARK: 3 Q. If you could just glance at that, 4 ma'am, and let me know when you're ready? 5 A. Okay. 6 Q. This appears to be Austin Fenner's 7 acknowledgment form, correct? 8 A. Yes. His name's on it, yes. 9 Q. Do you see the date on this? 10 A. Yes. 11 Q. What's the date on it? 12 A. 5/21/07. 13 Q. And were you working in HR at The Post 14 in May of 2007? 15 A. Yes. 16 Q. Have you seen this specific iteration 17 of the acknowledgment form before? 18 A. Yes, it looks familiar. 19 Q. And could you read that first sentence 20 for me? 21 A. "This is to acknowledge that I, Austin 22 Fenner, have received and read the following 23 materials regarding News Corporation's policies 24 and procedures on the following topics." 25 Q. And, again, it refers to standards of</p>

<p style="text-align: right;">Page 250</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 business conduct? 3 A. Yes. 4 Q. Now, is it your testimony that the 5 standards of business conduct referred to here is 6 not the News Corporation standards of business 7 conduct? 8 MR. PIESCO: Objection. 9 You can answer. 10 A. They're the New York Post policies 11 we've adopt from News Corporation's policies. 12 Q. Are you saying they are not News 13 Corporation's standards of business conduct? 14 MR. PIESCO: Objection. 15 A. They're the New York Post policies 16 we've adopted from News Corp.'s policies. 17 Q. Okay. That's still not answering the 18 question. 19 Are they News Corporation's standards 20 of business conduct? 21 MR. PIESCO: Objection. Asked and 22 answered. 23 Go ahead. 24 A. Yes, they're News Corp.'s policies 25 that the New York Post have adopted.</p>	<p style="text-align: right;">Page 251</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 Q. Very good. Thank you. 3 MR. CLARK: Could I get this marked as 4 9, please. 5 (Exhibit Scialdone 9, a family medical 6 leave document bearing Bates number NYP-FL 7 1163, was marked for identification at this 8 time.) 9 BY MR. CLARK: 10 Q. Okay. Ma'am, could you take a look at 11 that, and let me know when you're ready. 12 MR. CLARK: For the record, this is 13 Bates stamped NYP-FL 1163. 14 A. Okay. 15 Q. Have you seen this document before, 16 Ma'am? 17 A. I've seen a family medical leave 18 document. I don't know if it's exactly this one. 19 Q. Okay. Do you know if this family 20 medical leave document is the family and medical 21 leave policy referred to on Exhibits 7 and 8? 22 A. I don't know. 23 Q. Is the -- 24 A. I don't know. 25 Q. Okay. Is the family medical leave</p>
<p style="text-align: right;">Page 252</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 policy that I just provided you substantially the 3 same as the family medical leave policy that the 4 HR department provides to New York Post employees? 5 MR. PIESCO: Objection. 6 A. Repeat that, please? 7 MR. CLARK: Could you read that back? 8 (Record read.) 9 MR. PIESCO: Note my objection, 10 please. Thank you. 11 You can answer, if you can. 12 A. I don't know. 13 Q. Can you point to any parts of the 14 document, 1163, that you believe is different from 15 the family medical leave policy that HR provides 16 to its employees? 17 MR. PIESCO: Objection. 18 A. I don't know. 19 Q. So, on the top it says, "News America, 20 Incorporated." 21 Do you see that? 22 A. Yes. 23 Q. Do you know if the form that HR 24 currently provides to employees says News America, 25 Incorporated on the top?</p>	<p style="text-align: right;">Page 253</p> <p>1 AMY SCIALDONE - CONFIDENTIAL 2 MR. PIESCO: Objection. 3 You can answer. 4 A. I don't recall. 5 Q. Do you see at the bottom it says, 6 "NYP-FL 1163"? 7 A. Yes. 8 Q. Do you remember I said earlier that 9 that indicates that this document was provided by 10 your counsel? 11 A. Yes. 12 Q. Do you have any doubt that this form 13 is a form used by the New York Post for its 14 employees? 15 MR. PIESCO: Objection. 16 A. The content of the family medical 17 leave is used, you know, the substance of the 18 content, but if this document doesn't have a date 19 reference on it, I'm not sure when this was from, 20 and I don't know if I have a current one that's 21 updated. 22 Q. Okay. 23 A. So, that's the only -- do we provide 24 family medical leave? Yes. But the specifics -- 25 MR. PIESCO: Listen to his question</p>